

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

Case No. 6:12-cv-02033

BELEN SCHULTZ,

Plaintiff,

vs.

MIDLAND CREDIT MANAGEMENT,
INC.,
ENCORE CAPITAL GROUP, INC., AND
MIDLAND FUNDING, LLC,

Defendants.

**STIPULATION AND JOINT
MOTION TO AMEND
SCHEDULING ORDER AND
DISCOVERY PLAN**

The parties, Belen Schultz, Midland Credit Management, Inc., Encore Capital Group, Inc., and Midland Funding, LLC, by their respective undersigned counsel and pursuant to Local Rule 16(f), stipulate and jointly move the Court to amend the Scheduling Order and Discovery Plan, the same to be accomplished without a hearing unless the Court believes a hearing is necessary.

WHEREAS, the Court entered a Scheduling Order and Discovery Plan on September 5, 2012 (ECF No. 12); and

WHEREAS, the Scheduling Order and Discovery Plan set a discovery deadline of March 29, 2013 and a dispositive motions deadline of April 26, 2013; and

WHEREAS, the parties have made initial disclosures pursuant to Rule 26 and have both served and responded to written discovery; and

WHEREAS, the only remaining discovery to be completed by the parties are depositions; and

WHEREAS, defendants Midland Credit Management, Inc., Encore Capital Group, Inc., and Midland Funding, LLC, filed a motion for judgment on the pleadings on November 8, 2012 (ECF No. 17); and

WHEREAS, the parties have postponed noticing depositions in this matter due to the pending motion for judgment on the pleadings before the Court.

NOW THEREFORE, the parties, by and through their respective undersigned counsel, hereby stipulate and jointly move the Court to amend the September 5, 2012 Scheduling Order and Discovery Plan (ECF No. 12) as follows:

1. The deadline for completion of discovery be extended to and including April 26, 2013; and
2. The dispositive motion deadline be extended to and including May 24, 2013;

The parties further stipulate and jointly propose that all other provisions contained in the September 5, 2012 Scheduling Order and Discovery Plan (ECF No. 12) remain unchanged. The parties expressly acknowledge that this stipulation will not disturb the deadlines with respect to dispositive motion practice or trial.

Dated: February 26, 2013

By s/_____
JD Haas, Esq. (AT0003014)
JD HAAS AND ASSOCIATES, PLLC
10564 France Avenue South
Bloomington, MN 55341
Phone: 952-345-1025
E-mail: jdhaas@attorneysforconsumers.com
ATTORNEYS FOR PLAINTIFF

Dated: February 26, 2013

By /s/ Benjamin P. Roach

Benjamin P. Roach (AT0006588)

NYEMASTER GOODE, P.C.

700 Walnut Street, Suite 1600

Des Moines, IA 50309

Telephone: 515-283-3100

Facsimile: 515-283-8045

E-mail: bproach@nyemaster.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2013, I electronically filed the foregoing with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

JD Haas
JD Haas and Associates, PLLC
10564 France Avenue South
Bloomington, MN 55431

ATTORNEYS FOR PLAINTIFF

Marshall Meyers (*admission pro hac vice*)
Russell S. Thompson, IV (*admission pro hac vice*)
Weisberg and Meyers, LLC
5025 North Central Avenue, Suite 602
Phoenix, AZ 85012

ATTORNEYS FOR PLAINTIFF

/s/ Benjamin P. Roach
NYEMASTER GOODE, P.C.
700 Walnut Street, Suite 1600
Des Moines, Iowa 50309
Telephone: 515-283-3100
Facsimile: 515-283-8045
E-mail: bproach@nyemaster.com